HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 3112 of 2004

Petitioner		Shiv Kumar Nirmalkar, Aged about 38 years, S/o Shri Shukhpal Nirmalkar, R/o Ghoghra Nala, Champa, District Janjger Champa (Chhattisgarh)
	Versus	
Respondents	1.	State of Chhattisgahr, Through the Secretary, Public Health & Family Welfare, D.K.S. Bhawan, Mantralaya, Raipur (Chhattisgarh)
	2.	Director Health Services, Government of Chhattisgarh, Raipur (Chhattisgarh)
	3.	Union of India, Through the Secretary/Ministry Department of Health Family Welfare, New Delhi.
	4.	Regional Leprosy Officer, District-Bilaspur (Chhattisgarh)
	5.	Chief Medical & Health Officer, District – Janjgeer-Champa Chhattisgarh)
	6.	District Leprosy Officer, Janjger-Champa (Chhattisgarh)
	7.	District Leprosy Eradication Samiti, Through its President Bilaspur (Chhattisgarh)
	8.	District Collector, Janjgeer-Champa (Chhattisgarh)

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri Jitendra Pali, Advocate for the petitioners.

Shri S. K. Beriwal, Standing Counsel for the respondent No. 3.

Smt. Anju Ahuja, Deputy Govt. Advocate for the respondents No. 1, 2 and 4 to 8.

ORDER

(Passed on this 21st day of March, 2007)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. By this petition under Article 226 of the Constitution of India the petitioner seeks to challenge the legality, validity and propriety of the order dated 30.6.2004 (Annexure P/5), whereby his services has been terminated, in view of the order dated 25.6.2004 issued by the Directorate of Health Services, Raipur.

2. The petitioner was appointed on contract basis on the post of N.G.M.P. vide order dt. 26.5.1998 (Annexure P/3) under the terms and conditions laid down in the said order. Thereafter the petitioner continued to work on the same post till the impugned order dated 30.6.2004 (Annexure P/5) was passed.

3. Learned counsel appearing for the petitioner, as well as for the respondents submit that the facts and question of law involved in the present petition is similar to that in the Writ Petition No. 1794/2003 (Santosh Kumar Sahu Vs. State of Chhattisgarh & others) which was disposed of vide order dated 26.6.2003, wherein it has been directed that "if the petitioner makes a representation within a period of one month from today, concerned authority shall look into the matter and if the services of the petitioner can be absorbed then they can consider his case for absorption/appointment."

4. In view of the above, this petition stands disposed of with the direction that if the petitioner makes a representation to the concerned authority within a period of one month from today, it shall consider and decide the same on its own merits, in accordance with law, within a reasonable period. If it is permitted to absorb the petitioner, then they should consider his case for absorption/re-appointment in services. Consequently, M(W)P No. 2113/2004 stands disposed of.

Thakur

Sd/-
Satish K. Agnihotri
Judge